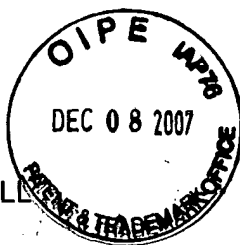


12-10-07

1Fw 3692

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re the Application of:

PURCELL

Serial No.: 10/034,872

Filed: December 28, 2001

For: "METHOD AND APPARATUS FOR
INFORMING INVESTORS FOR JUDGING,
SELECTING, AND HOLDING INVESTMENT
PORTFOLIO PLANS THAT OFFER OPTIMAL
PROSPECTS FOR THEIR LONG-TERM
FINANCIAL PLANS, GOALS, AND
PRIORITIES"

) Art Unit: 3692

) Examiner: Clement B. Graham

) REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Examiner's Action having a mailing date of October 9, 2007, please reconsider my independent claims 1 and 71 as amended and filed July 3, 2007 in light of the following remarks.

Respectfully submitted,

W. Richard Purcell, Jr.

810 S. Lashley
Boulder, CO 80305
303-494-0399

REMARKS

The Applicant agrees with the Examiner that the claimed invention should be compared with Edesess. The two inventions address the same broad subject of assessing investments in terms of probabilities, and descriptions of the two inventions feature terms and phrases that can make them seem similar. However, in inspection of specifically what Edesess does and claims to do, the Applicant has found Edesess so fundamentally different from the claimed invention that if, as an investment advisor, he presented Edesess as equivalent to the claimed invention, he would regard himself in violation of his fiduciary duty.